

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF DELAWARE**

In re:

AMYRIS, INC., *et al.*,¹

Debtors.

Chapter 11

Case No. 23-11131 (TMH)

(Jointly Administered)

Obj. Deadline: November 3, 2023 at 4:00 p.m. (ET)

**SUMMARY OF FIRST MONTHLY APPLICATION OF POTTER
ANDERSON & CORROON LLP FOR COMPENSATION FOR SERVICES
RENDERED AND FOR REIMBURSEMENT OF EXPENSES AS
COUNSEL TO THE OFFICIAL COMMITTEE OF UNSECURED
CREDITORS OF AMYRIS, INC., *ET AL.* FOR THE
PERIOD AUGUST 28, 2023 THROUGH SEPTEMBER 30, 2023**

Name of Applicant:

Potter Anderson & Corroon LLP

Authorized to Provide Professional Services to:

Official Committee of Unsecured Creditors

Date of Retention:

October 6, 2023
effective as of August 28, 2023

Period for which Compensation
and Reimbursement are Sought:

August 28, 2023 through September 30, 2023

Amount of Compensation Sought as Actual,
Reasonable, and Necessary:

\$142,332.50

Amount of Expense Reimbursement Sought
as Actual, Reasonable, and Necessary:

\$3,593.70

This is a(n): √ monthly interim final application

This application includes 0 hours and \$0.00 in fees incurred in connection with the preparation of fee applications.

¹ A complete list of each of the Debtors in these Chapter 11 Cases may be obtained on the website of the Debtors' claims and noticing agent at <https://cases.stretto.com/Amyris>. The location of Debtor Amyris Inc.'s principal place of business and the Debtors' service address in these Chapter 11 Cases is 5885 Hollis Street, Suite 100, Emeryville, CA 94608.

Previously Filed Applications:

| DATE FILED | PERIOD COVERED | REQUESTED FEES | REQUESTED EXPENSES | APPROVED FEES (80%) | APPROVED EXPENSES (100%) | 20% HOLDBACK |
|-------------------|-----------------------|-----------------------|---------------------------|----------------------------|---------------------------------|---------------------|
| n/a | | | | | | |

COMPENSATION BY PROFESSIONAL
AUGUST 28, 2023 THROUGH SEPTEMBER 30, 2023

| Name of Professional Individual | Position, year assumed position, prior relevant experience, year of obtaining relevant license to practice | Hourly Billing Rate (including changes) | Total Hours Billed | Total Compensation |
|--|--|--|---------------------------|---------------------------|
| Christopher M. Samis | Joined firm as a Partner in 2019. Member of DE & PA Bars since 2006. | \$865.00 | 79.6 | \$68,854.00 |
| Aaron H. Stulman | Joined firm as an Associate in 2019. Partner in 2023. Member of DE Bar since 2012. Member of NY Bar since 2014. | \$675.00 | 28.4 | \$19,170.00 |
| Katelin A. Morales | Joined firm as an Associate in 2023. Member of New York and New Jersey Bars since 2017. Member of the Delaware Bar since 2019. | \$575.00 | 31.9 | \$18,342.50 |
| Sameen Rizvi | Joined firm as an Associate in 2021. Member of the Delaware Bar since 2022. | \$460.00 | 63.5 | \$29,210.00 |
| Michelle Dero | Joined firm as Paralegal in 2022. Paralegal since 1997. | \$350.00 | 7.4 | \$2,590.00 |
| Melissa L. Romano | Joined firm as Paralegal in 2023. Paralegal since 2003. | \$350.00 | 5.2 | \$1,716.00 |
| Kristin McCloskey | Joined firm as Paralegal in 2023. Paralegal since 2008. | \$350.00 | 5.8 | \$2,030.00 |
| Lauren C. Huber | Joined firm as a Paralegal in 2019. Paralegal since 2018. | \$330.00 | 1.2 | \$420.00 |
| | | | 223.0 | |
| Grand Total: | | | | \$142,332.50 |
| Attorney Compensation: | | | | \$135,576.50 |
| Total Attorney Hours: | | | | 203.4 |
| Blended Attorney Rate: | | | | \$666.66 |

COMPENSATION BY PROJECT CATEGORY
AUGUST 28, 2023 THROUGH SEPTEMBER 30, 2023

| Project Category | Hours | Amount |
|--|--------------|---------------------|
| Asset Analysis and Recovery (AA) | 0.0 | \$0.00 |
| Litigation/Adversary Proceedings (AP) | 0.2 | \$135.00 |
| Business Operations (BO) | 8.6 | \$7,284.50 |
| Case Administration (CA) | 33.6 | \$19,740.50 |
| Court Appearances/Communications/Hearings (CH) | 16.5 | \$11,874.50 |
| Creditor Inquiries (CI) | 0.4 | \$184.00 |
| Financing/Cash Collateral/DIP (CR) | 31.5 | \$20,958.50 |
| Employment Applications/Objections (EA) | 60.8 | \$35,992.50 |
| Employee Benefits/Pensions (EB) | 2.1 | \$1,724.50 |
| Executory Contracts and Leases (EC) | 28.6 | \$15,970.50 |
| Fee Applications/Objections (FA) | 0.7 | \$605.50 |
| Fee Applications (PAC) | 0.0 | \$0.00 |
| Tax Issues/Corporate Matters (MA) | 0.9 | \$727.00 |
| Committee Communications/Meetings (MC) | 8.2 | \$4,894.50 |
| Relief from Stay Proceedings (MR) | 1.2 | \$948.50 |
| Claims Administration and Objections (PC) | 2.2 | \$1,846.00 |
| Plan and Disclosure Statement (PL) | 4.3 | \$3,719.50 |
| Asset Disposition/Use, Sale (SA) | 16.2 | \$10,495.00 |
| Schedules & Statements/MORs/Other UST Reporting (SS) | 5.7 | \$4,354.50 |
| Communications with Debtors or Trustee (TR) | 1.3 | \$877.50 |
| Utilities (UM) | 0.0 | \$0.00 |
| Valuation (VT) | 0.0 | \$0.00 |
| Non-Working Travel (NWT) | 0.0 | \$0.00 |
| TOTAL: | 223.0 | \$142,332.50 |

EXPENSE CATEGORY
AUGUST 28, 2023 THROUGH SEPTEMBER 30, 2023

| Expense Category | Amount |
|--|-------------------|
| Outside Copies/Reproduction (Reliable) | \$321.60 |
| Outside Copies/Mailing (DLS) | \$3,110.50 |
| Color Copies (80¢ cents per page) | \$0.00 |
| Digital Scanning/Reproduction (DLS Discovery) | \$0.00 |
| Computerized Legal Research – Westlaw | \$0.00 |
| Federal Express | \$0.00 |
| Long Distance / Client Telephone | \$0.00 |
| Court Costs (Annual Pro Hac Vice Payment; Filing Fees; Secretary of State) | \$50.00 |
| Pacer Electronic Records | \$0.00 |
| Special Delivery & Daily Runner Services | \$0.00 |
| Court Reporter (Reliable) | \$111.60 |
| Docket Retrieval/Search | \$0.00 |
| Secretary of State/NRAI Services (UCC) | \$0.00 |
| Overtime | \$0.00 |
| Working Meals | \$0.00 |
| TOTAL: | \$3,593.70 |

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF DELAWARE**

In re:

AMYRIS, INC., *et al.*,¹

Debtors.

Chapter 11

Case No. 23-11131 (TMH)

(Jointly Administered)

Obj. Deadline: November 3, 2023 at 4:00 p.m. (ET)

**FIRST MONTHLY APPLICATION OF POTTER ANDERSON
& CORROON LLP FOR COMPENSATION FOR SERVICES
RENDERED AND FOR REIMBURSEMENT OF EXPENSES AS
COUNSEL TO THE OFFICIAL COMMITTEE OF UNSECURED
CREDITORS OF AMYRIS, INC., *ET AL.* FOR THE
PERIOD AUGUST 28, 2023 THROUGH SEPTEMBER 30, 2023**

Pursuant to Sections 330 and 331 of title 11 of the United States Code, §§ 101-1532 (the “Bankruptcy Code”), Rule 2016 of the Federal Rules of Bankruptcy Procedure (the “Bankruptcy Rules”), and in accordance with that certain *Order Authorizing the Employment and Retention of Potter Anderson & Corroon LLP as Delaware Counsel to the Official Committee of Unsecured Creditors of Amyris, Inc., et al., Effective as of August 28, 2023* [Docket No. 486] (the “Retention Order”) and the *Order Establishing Procedures for Interim Compensation and Reimbursement of Expenses of Professionals* [Docket No. 279] (the “Interim Compensation Order”), Potter Anderson & Corroon LLP (“Potter Anderson”) hereby applies (“this “Application”) to the United States Bankruptcy Court for the District of Delaware (the “Court”) for reasonable compensation for professional legal services rendered as counsel to the above captioned debtors and debtors in possession (the “Debtors”) in the amount of \$142,332.50, together with reimbursement for actual

¹ A complete list of each of the Debtors in these Chapter 11 Cases may be obtained on the website of the Debtors’ claims and noticing agent at <https://cases.stretto.com/Amyris>. The location of Debtor Amyris Inc.’s principal place of business and the Debtors’ service address in these Chapter 11 Cases is 5885 Hollis Street, Suite 100, Emeryville, CA 94608.

and necessary expenses incurred in the amount of \$3,593.70, for the period August 1, 2023 through August 31, 2023 (the “Monthly Fee Period”). In support of this Application, Potter Anderson respectfully represents as follows:

BACKGROUND

1. On August 9 and August 21, 2023 (as applicable, the “Petition Date”), Amyris, Inc. and its affiliated debtors (collectively, the “Debtors”) filed voluntary petitions for relief under chapter 11 of the Bankruptcy Code in the United States Bankruptcy Court for the District of Delaware (the “Court”) commencing the above-captioned chapter 11 cases (the “Chapter 11 Cases”).

2. On August 28, 2023, the Office of the United States Trustee (the “U.S. Trustee”) appointed the official committee of unsecured creditors (the “Committee”) in connection with the Chapter 11 Cases. *See* Docket No. 152.

3. Potter Anderson was retained effective as of August 28, 2023 by this Court’s Retention Order dated October 6, 2023. The Retention Order authorized Potter Anderson to be compensated on an hourly basis and to be reimbursed for actual and necessary out-of-pocket expenses.

SUMMARY OF SERVICES RENDERED

4. Attached hereto as **Exhibit A** is a detailed statement of fees incurred during the Monthly Fee Period, showing the amount of \$142,332.50 due for fees.

5. The services rendered by Potter Anderson during the Monthly Fee Period are grouped into the categories set forth in **Exhibit A**. The attorneys and paralegals who rendered services relating to each category are identified, along with the number of hours for each individual and the total compensation sought for each category, in the attachments hereto.

ACTUAL AND NECESSARY EXPENSES

6. Potter Anderson has incurred out-of-pocket expenses during the Monthly Fee Period in the amount of \$3,593.70. Attached as **Exhibit B** is a detailed statement of expenses paid during the Monthly Fee Period. This out-of-pocket disbursement sum is broken down into categories of charges, including, among other things, telephone and telecopier toll and other charges, mail and express mail charges, special or hand delivery charges, document processing, photocopying charges, charges for mailing supplies (including, without limitation, envelopes and labels) provided by Potter Anderson to outside copying services for use in mass mailings, travel expenses, expenses for “working meals,” computerized research, transcription costs, as well as non-ordinary overhead expenses such as secretarial and other overtime. A complete review by category of the expenses incurred for the Monthly Fee Period may be found attached hereto as **Exhibit B**.

7. Costs incurred for overtime and computer assisted research are not included in Potter Anderson’s normal hourly billing rates and, therefore, are itemized and included in Potter Anderson’s disbursements. Pursuant to Rule 2016-2 of the Local Rules of Bankruptcy Practice and Procedure of the United States Bankruptcy Court for the District of Delaware (the “**Local Rules**”), Potter Anderson represents that its rate for duplication is \$0.10 per page for black and white copies and \$.80 per page for color copies, its rate for outgoing telecopier transmissions is \$0.25 per page (excluding related long distance transmission charges), there is no charge for incoming telecopier transmissions, and there is no surcharge for computerized research.

VALUATION OF SERVICES

8. Attorneys and paraprofessionals of Potter Anderson have expended a total of 223.0 hours in connection with this matter during the Monthly Fee Period.

9. The amount of time spent by each of these persons providing services to the Committee for the Monthly Fee Period is fully set forth in the detail attached hereto as **Exhibit A**. These are Potter Anderson's normal hourly rates of compensation for work of this character. The reasonable value of the services rendered by Potter Anderson for the Monthly Fee Period as counsel for the Committee in these cases is \$142,332.50.

10. Potter Anderson believes that the time entries included in **Exhibit A** attached hereto and the expense breakdown set forth in **Exhibit B** attached hereto are in compliance with the requirements of Local Rule 2016-2.

11. In accordance with the factors enumerated in section 330 of the Bankruptcy Code, the amount requested is fair and reasonable given (a) the complexity of these Chapter 11 Cases, (b) the time expended, (c) the nature and extent of the services rendered, (d) the value of such services, and (e) the costs of comparable services other than in a case under this title.

12. This Application covers the fee period from August 28, 2023 through and including September 30, 2023. Potter Anderson has continued, and will continue, to perform additional necessary services for the Committee subsequent to the Monthly Fee Period, for which Potter Anderson will file subsequent monthly fee applications.

CONCLUSION

WHEREFORE, Potter Anderson respectfully requests allowance be made to it in the sum of \$142,332.50 as compensation for necessary professional services rendered to the Committee for the Monthly Fee Period, and the sum of \$3,593.70 as reimbursement of actual necessary costs and expenses incurred during that period, and requests such other and further relief as the Court may deem just and proper.

Dated: October 20, 2023
Wilmington, Delaware

Respectfully submitted,

/s/ Sameen Rizvi

Christopher M. Samis (No. 4909)

Katelin A. Morales (No. 6683)

Sameen Rizvi (No. 6902)

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*Counsel for the Official Committee of Unsecured
Creditors*

VERIFICATION

I, Christopher M. Samis, pursuant to 28 U.S.C. § 1746, declare under penalty of perjury:

(a) I am a Partner with the applicant firm, Potter Anderson & Corroon LLP and have been admitted to appear before this Court.

(b) I have personally performed many of the legal services rendered by Potter Anderson on behalf of the Debtors, and am familiar with all other work performed on behalf of the lawyers and paraprofessionals at the firm.

(c) The facts set forth in the foregoing Application are true and correct to the best of my knowledge, information and belief.

/s/ Christopher M. Samis
Christopher M. Samis (No. 4909)